

"experience"—and BENNETT JOHNSTON is that man of whom I speak.

There is no department of public life in which the test of man's ability is more severe than service in this body. Little deference is paid to reputation previously acquired or to eminent performances won elsewhere. What a man accomplishes in this Chamber, he does so by sheer force of his own character and ability. It is here that one must be prepared to answer for the many talents or for the single talent committed to his charge.

BENNETT JOHNSTON came to this body 22 years ago as a man of many talents. He did not wrap his talents in a napkin or hide them in the earth, as both Luke the Physician and Matthew make reference, but he put them to use that they might bear increase for his State, for his country, for the Senate, and for his fellow man. He has proved himself to be a superior legislator. I have served with him these 22 years on the Committee on Appropriations. He has proved himself to be a man with courage, with vision, with conviction, a man who is diligent in his work and faithful to his oath of office.

As the chairman of the Senate Committee on Appropriations during the last 6 years, I found him always to be conscientious and a man of his word. Fully aware of the admonition by Polonius that "those friends thou hast and their adoption tried, grapple them to thy soul with hoops of steel," it is with pride that I call BENNETT JOHNSTON friend. It is with sincere sadness that I have heard of his decision and I regret that, with the passing of these final 2 years of his term, the Senate will have witnessed the departure of one who has effectively toiled here in its vineyards and who has earned the respect and admiration of his colleagues. The people of the State of Louisiana chose well when, by the exercise of their franchise, they sent him here. Someone will be selected to take his place, just as someone will, in due time, stand in the place of each of us here.

After he lays down the mantle of service, we shall feel the same revolution of the seasons, and the same Sun and Moon will guide the course of our year. The same azure vault, bespangled with stars, will be everywhere spread over our heads. But I shall miss him, just as I know others will miss BENNETT JOHNSTON. Other opportunities will come to him, other horizons will stretch out before him, and he will sail his ship on other seas.

Erma and I will miss BENNETT and Mary, but the memories of these past years during which we have been blessed to render service together to the Nation will always linger in our hearts.

I think of lines by Longfellow as being appropriate for this occasion:

I shot an arrow into the air;
It fell to earth I knew not where,
For so swiftly it flew, the sight
Could not follow it in its flight.

I breathed a song into the air;
It came to earth, I knew not where,
For who has sight so swift, so strong
That it can follow the flight of song?
Long, long afterwards, in an oak,
I found the arrow still unbroke,
And the song, from beginning to end,
I found again in the heart of a friend.

Mr. President, I yield the floor.

WAS CONGRESS IRRESPONSIBLE? THE VOTERS SAID YES

Mr. HELMS. Mr. President, anyone even remotely familiar with the U.S. Constitution knows that no President can spend a dime of Federal tax money that has not first been authorized and appropriated by Congress—both the House of Representatives and the U.S. Senate.

So when you hear a politician or an editor or a commentator declare that "Reagan ran up the Federal debt" or that "Bush ran it up," bear in mind that it was, and is, the constitutional duty and responsibility of Congress to control Federal spending. Congress has failed miserably in that task for about 50 years.

The fiscal irresponsibility of Congress has created a Federal debt which stood at \$4,798,792,100,063.36 as of the close of business Tuesday, January 10. Averaged out, every man, woman, and child in America owes a share of this massive debt, and that per capita share is \$18,216.30.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

CONGRESSIONAL ACCOUNTABILITY ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 2, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2) to make certain laws applicable to the legislative branch of the Federal Government.

The Senate resumed consideration of the bill.

The PRESIDING OFFICER. Under the previous order, the Senator from New Jersey [Mr. LAUTENBERG] is recognized to offer an amendment, in which there will be 20 minutes under the control of the Senator from New Jersey and 5 minutes under the control of the Senator from Iowa [Mr. GRASSLEY].

Mr. LAUTENBERG. Mr. President, I thank the Presiding Officer.

AMENDMENT NO. 15

(Purpose: To reduce the pay of Members of Congress by the same percentage as other spending is reduced in any sequester caused by the failure of Congress to meet budget limitations on spending, or the budget deficit)

Mr. LAUTENBERG. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Jersey [Mr. LAUTENBERG] proposes an amendment numbered 15.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection it is so ordered.

The amendment is as follows:

At the appropriate place in the bill insert the following new section:

SEC. . REDUCTION OF PAY OF MEMBERS OF CONGRESS IN EVENT OF SEQUESTRATION.

(a) IN GENERAL.—Section 601(a) of the Legislation Reorganization Act of 1946 (2 U.S.C. 31) is amended—

(1) in paragraph (1) by striking out "as adjusted by paragraph (2)" and inserting in lieu thereof "as adjusted by paragraphs (2) and (3)"; and

(2) by adding at the end thereof the following new paragraph:

"(3)(A) The annual rate of pay for each position described under paragraph (1) shall be reduced (for the period beginning on the effective date under subparagraph (B)(i)(I) through the end of the fiscal year in which such adjustment takes effect) by the percentage necessary to reduce the total annual pay for such position by the uniform percentage determined under—

"(i) section 251(a)(2) of the Balanced Budget Emergency Deficit Act of 1985 (2 U.S.C. 901(a)(2)) in any fiscal year in which there is a sequester under section 251 of such Act;

"(ii) section 252(c)(1)(C) of the Balanced Budget Emergency Deficit Act of 1985 (2 U.S.C. 902(c)(1)(C)) in any fiscal year in which there is a sequester under section 252 of such Act; and

"(iii) section 253(e) of the Balanced Budget Emergency Deficit Act of 1985 (2 U.S.C. 903(e)) in any fiscal year in which there is a sequester under section 253 of such Act.

"(B)(i)(I) An adjustment under subparagraph (A) shall take effect on the first day of the first applicable pay period beginning on or after the date on which an intervening election of the Congress occurs following the sequester.

"(II) Effective on the first day of the first applicable pay period beginning on or after October 1 of the fiscal year following the fiscal year in which an adjustment to effect under subclause (I), the rate of pay for each position described under paragraph (1) shall be the rate of pay which would be in effect if not for the provisions of this paragraph.

"(ii) If more than one adjustment would take effect on the same date in accordance with clause (i)(I), each applicable percentage determined under subparagraph (A) (i), (ii), and (iii) shall be added, and the resulting percentage shall be used in making a single adjustment."

(b) REGULATIONS.—The Secretary of the Senate and the Clerk of the House of Representatives may prescribe regulations to carry out the provisions of this Act relating to the applicable Members of Congress.

(c) **EFFECTIVE DATE.**—This section shall take effect on the date of enactment of this section.

Mr. LAUTENBERG. Mr. President, this amendment is fairly simple. It would include Members of Congress in actions that result from missing budget targets that have been set forth under the Budget Act. It would say that if we miss the targets specified and a sequester takes place, reductions in accounts across-the-board, or on a specific account, that we would also include Members' salaries; that we would therefore cut, on a like proportion basis, the salaries of Senators and Congresspersons if the Congress failed to achieve its budgetary targets of limits on Government spending.

The amendment would eliminate a defect in current law that excludes congressional pay from across-the-board cuts or sequesters when spending limits are exceeded.

Mr. President, the central purpose of the pending bill, the congressional responsibility bill, is to create the same standards for Members of Congress as those applying to other citizens. The bill says that if we are going to impose laws on ordinary Americans, we are going to have to live up to those laws we in the Congress, we in the Senate, the same laws as we ask our constituents to obey. That is an important principle, Mr. President, and it is why I strongly support the underlying bill.

Unfortunately, the pending legislation does not put Congress and the public on even par, at least in one very important respect. In fact, one double standard in place would absolutely surprise the American people if they were more aware of it. And I will take a moment to explain.

Under the Budget Act, if Congress exceeds certain limits on spending or fails to meet legally-established deficit targets, then the act may mandate automatic across-the-board spending cuts to assure that we maintain fiscal discipline. These across-the-board cuts are known as sequesters and they can apply to a very broad range of Federal programs and benefits.

Let us make no mistake. If Congress overspends under the Budget Act, ordinary Americans get hurt in the process—veterans can lose benefits they earned while fighting for our country; senior citizens with health problems can lose services under Medicare; middle-class students can lose the opportunities that student loans afford; and citizens living constantly these days in fear can lose the protection of additional law-enforcement personnel.

And yet, while ordinary Americans' programs are put on the chopping block, when their health, their security, and their educations are put at risk, guess who it is that gets off scot-free? That is right. Members of Congress. Their pay is protected, no matter what happens.

Mr. President, there is something wrong with saying that, if Congress violates the Budget Act, benefits for

ordinary citizens should be cut, veterans' services should be cut, senior citizens' Medicare should be cut, student loans should be cut; the unemployed job training should be cut, but congressional salaries, those are sacrosanct, not to be touched. It is not right. If the public knew more about it, they would perhaps be even angrier than they already are.

Mr. President, I have been bothered by this double standard for some time. In the last Congress, I introduced legislation to eliminate this double standard. I called it the Congressional Overspending Pay Accountability Act. It was designed to do what its name suggested: Hold Members of Congress accountable if they overspend and if they violate their own budget rules.

This amendment is based generally on that earlier bill. I offer it today because the Congressional Accountability Act is the ideal vehicle for solving this problem. After all, this bill is about eliminating double standards. And the loophole that protects Members' salaries from spending cuts is the ultimate double standard. Unfortunately, in its current form, this bill does nothing about it unless this amendment is adopted.

So the amendment is very simple. It says that if Congress overspends, the pay of each Member of Congress shall be reduced by the same amount as all other affected spending. For example, if we exceed discretionary spending targets and trigger a sequester of 5 percent, Member pay for that next year will be cut 5 percent, as well. If the sequester cuts other programs by 1 percent, then the pay of Members of Congress will be reduced by 1 percent. I think it is important that if a target is missed, the pain be distributed equally. When cuts are made in programs, opportunities for education or health care are reduced. I think, somehow or other, we in the United States Congress ought to feel it some way other than putting a pencil to the paper.

We are recommending this amendment. I hope all of my colleagues will support it. I think it is a show of good faith. I think, otherwise, it smacks a little bit of hypocrisy to say we do not want our pay cuts, but we want everybody else's programs cut. I think it does not ring a very true signal for the American people. This amendment proposes to treat Members of Congress just like all other ordinary Americans who get hurt when the Budget Act mandates across-the-board cuts. I believe that is only fair.

We have not heard a lot about sequesters lately, Mr. President. In the past, we have seen sequesters as high as 5 percent, such as the one that reduced the military budget by that amount in 1986. Recently, Congress has complied with the Budget Act and has made a lot of tough choices. The threat of sequester has now increased substantially. Many in this town are intent on both increasing military spending and providing huge tax breaks to the

wealthy at the same time we have heard promises of huge cuts in total Government spending. Apart from a few small symbolic programs proposed for elimination, we have not heard much of the details. We do not know whose benefits will be cut. We do not know whose programs will be eliminated.

Mr. President, if Congress locks itself in too tightly in overall spending caps, and then refuses to make the tough decisions to cut specific programs, what will happen? Well, one likely result will be a sequester. That possibility looms larger now than it has in many years.

Mr. President, there is a lot of debate now going on about a balanced budget amendment. The reason that that has developed is because all of us, whether one is a supporter of the balanced budget amendment or not, are anxious to bring this budget of ours under control. So we are resorting to techniques, we are resorting to programs instead of thoughtful planning on how to do it.

What we are saying is let us pass the balancing on to an amorphous structure, something that says if we cannot do it—and I think it is a blink of the eye, because we can do it—if we cannot do it, let them do it.

The case of the balanced budget amendment obviously, at one point along the line, falls to the courts to pick up the responsibilities. So I want to establish the fact—and I think my colleagues will agree—that we, too, are at risk in some way if we fail to do what we tell the public we want to do.

Mr. President, there will be handouts to the rich. They will be paid for in the end. There is a good chance that they will be paid for by ordinary Americans, whose Medicare and other benefits are subject to significant across-the-board cuts. The question I ask is, will Members of Congress feel their pain? Under the present structure, it does not look that way. The meat ax may fall, but our heads will not be in the guillotine. The blood on the floor will be the blood of lots of ordinary folks who have worked hard, played by the rules, and tried to make ends meet; but, once again, they will be asked to make or told that they are the ones who will make the sacrifice.

Mr. President, I am hopeful the reason we will prevail and we will avoid that kind of fiscal irresponsibility is the threat is real. If the ax falls, Members of Congress should risk their necks, as well. Mr. President, even if we never have another sequester, we should eliminate the loophole for Members' pay. It is a matter of principle. It is the exact same principle, the principle that motivates this bill. Members of Congress are citizens, like everybody else. When we violate our own budget rules, we should not give ourselves any special exemptions.

The staff that joins us here in this room, that supports Senators in their offices and supports Senators in their

committees—hard-working people, people who want to do a job and get a decent day's pay—wants to know that their pensions are secure when it comes time to retire. If there is a sequester, they feel it in their paychecks when the legislative budgets are reduced. That risk ought to be applied to those who are writing the bills. We ought to cut our pay to the same extent that anyone else who works for the Government might get cut if a sequester takes place.

Mr. President, if we are serious about reform, this amendment should pass overwhelmingly. I think that as each of the Members comes up to the well and announces their vote, that it is important the public be aware of the fact that if they vote "no," or vote against this amendment, that what they are saying is the old expression that kicks around here, "Do not tax you and do not tax me, tax the guy behind the tree." That is what we are saying if this amendment fails to pass. I am hopeful that we will see it pass, because I think it is an important declaration of principle to the American people. I think it says to them that we are in the same boat as they are.

It is a privilege to serve in this body. We are privileged and honored to have the responsibility of writing the laws that make this country a better place to live. We will be able to put our imprimatur, our signature on this, if we adopt this amendment.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. LAUTENBERG. Mr. President, I ask the Chair, how much time is remaining on my side?

The PRESIDING OFFICER. The Senator has 5 minutes remaining.

Mr. LAUTENBERG. If a quorum call is put in place, how is the time charged?

The PRESIDING OFFICER. It requires unanimous consent at this time to put in the quorum call. The Senator must specify how the time would be split.

Mr. LAUTENBERG. Mr. President, I suggest the absence of a quorum. I have pledged to the majority leader that he will have 5 minutes, I think it is, to make his remarks. We will have the time run on our side of the clock.

The PRESIDING OFFICER. Is there objection to the request?

Mr. GRASSLEY. Reserving the right to object. I did not hear the unanimous-consent request. Was there one?

Mr. LAUTENBERG. There is. The unanimous-consent request is, if I may, Mr. President, that a quorum call be fully charged to our side because the majority leader has a commitment under the previous order of a 5-minute response.

Mr. GRASSLEY. That is OK with me.

Mr. President, I have 5 minutes under my control?

The PRESIDING OFFICER. That is my understanding of the unanimous-consent agreement, yes.

Mr. GRASSLEY. I allocate myself such time as I may consume out of the 5 minutes.

The PRESIDING OFFICER. Does the Senator from New Jersey withhold his quorum call?

Mr. GRASSLEY. Has the Senator yielded the floor?

Mr. LAUTENBERG. Yes.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, first of all, from the standpoint of a philosophical approach to what the Senator from New Jersey is trying to espouse, as his amendment does, I have affiliated myself in the past with some attempts—this is the first time I have heard this approach used—but I have offered amendments or cosponsored amendments myself that would say there should be no pay raise for Members of Congress until we get the budget balanced.

I think the Senator from North Carolina [Mr. HELMS] has offered an amendment on the floor of this body before that I voted for that probably would have cut our salary a certain period of time until we got to a balanced budget. I voted for that. So I am not unsympathetic with what the distinguished Senator from New Jersey is trying to accomplish. But I can say this in regard to the underlying legislation: The underlying legislation attempts to, and I think successfully does, apply the laws to Congress that we have exempted ourselves from that presently and for, in some instances, five decades have applied to the private sector, so that we no longer have a system of a double standard in America: One set of laws is for Congress and another set of laws is for the rest of the Nation.

That principle underlying this legislation then is the main argument for our not agreeing to the amendment of the Senator from New Jersey, because he imposes the requirement of sequestration on the rest of the budget to the salaries of Members of Congress. We are dealing totally within the public sector here. It has nothing to do with the application of laws that apply to the private sector on Congress from which laws we have been exempt, because the Federal budget, as an instrumentality of public policy, does not apply to the private sector.

So, basically, the same argument can be used against the amendment of the Senator from New Jersey that has been used against the amendments that have been proposed from the other side of the aisle on Thursday and Friday of last week, Monday and Tuesday of this week and now we are in the fifth day of discussing a bill. It is unrelated. It is a subject worthy of discussion, what the Senator brings to our attention, but not on this legislation. So, consequently, not this time. In the first week of April, according to the Senator from New Mexico, the distinguished

chairman of the Budget Committee, the budget will be discussed in this body, and that is the appropriate place for the Senator from New Jersey to offer his amendment.

It gives me an opportunity to emphasize then, as I said once today, and I have said each and every day this bill has been up, that we are on our fifth day on a bill that the House of Representatives passed in 20 minutes on their first day of the session. If there was one clear message in the last election, it was that we should no longer have business as usual, and particularly this issue of the applicability of laws that Congress has exempted itself from to Capitol Hill. That was a major issue in the last campaign.

There is hardly a freshman Member of this body that has not told me that in every one of their campaigns—I am talking about the people that were newly elected on November 8—there is not a one that said this was not a centerpiece of their campaign. Do not take it from those of us who have been in this body a while. Take it from those who bring some inspiration to this body to show the people of this country that this body is not going to continue to act business as usual, ignore the will of the people and do our own agenda, because the agenda was set by the American people in this election—and this bill, this underlying piece of legislation that we are dealing with and will hopefully pass at 5 o'clock this afternoon, the Congressional Accountability Act, where we cover ourselves by the laws we have exempted ourselves from in the past.

So, I am asking my colleagues not to reject the substance of what the Senator says, the author of this amendment, but to reject it for the time being, and consider it again when the budget comes up the first week in April.

I yield the floor.

Mr. LAUTENBERG addressed the Chair.

The PRESIDING OFFICER. The Senator's time on this amendment has expired. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I listened very carefully to the Senator from Iowa because he is someone who is very thoughtful. We served together on the Budget Committee. He is concerned about what takes place in terms of our acts related to the budget. I know that he is sincere when he makes the case for having this done at a later time.

I respectfully, however, disagree with my friend from Iowa because I think, A, that there will be no delay in terms of final consideration of this bill. There is a unanimous-consent order that is for this evening, and any single Senator can prevent that order from being altered in any way. So the vote will take place. So there is no further delay that is going to be caused by this amendment.

I think that it is quite clear that now—and I once again agree with the

distinguished Senator from Iowa—that we now are saying that this House, this body is subject to the same laws that we write for everybody else, and I agree with that. Therefore, in my view, this is the perfect opportunity to say not only will we obey the laws, in terms of our performance of our functions within our offices, but we are also going to take a personal hit if something goes awry if we do not plan carefully enough to meet the budget targets that we have set.

That law has been in place now I guess for 7 years—1986, I am reminded, 8 years, 9 years now—and we have had a couple of sequester years. But we have not had as much of a likelihood that a sequester ax will fall as we have facing the next year's budget, because everyone knows that we are trying to squeeze things down. In the process, if we miss those targets, we are going to have a sequester.

Once again, to overstate the case perhaps, I think that if the American people's programs—and we are not necessarily talking about the private sector, we are talking about the public sector, we are talking about senior citizens, we are talking about veterans, we are talking about students—if those programs are diminished, then I see no earthly reason why our salaries should not reflect some adjustment for that year that corresponds with the reduction in programmatic dollars that might be available.

So, Mr. President, I conclude my remarks. I yield back the remainder of my time and hope that we will adopt this amendment.

The PRESIDING OFFICER. Does the Senator yield back his time?

Mr. LAUTENBERG. I do.

Mr. GRASSLEY. I yield back my time.

The PRESIDING OFFICER. All time has expired.

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. Mr. President, under the unanimous-consent agreement, what is the next order of business?

The PRESIDING OFFICER. The next order of business will be the Senator from Nevada will be recognized.

Mr. GLENN. Mr. President, we will check and see if he is on the way over, and while he is on the way over I might make some remarks particularly addressed to people on our side of the aisle in that we on the Democratic side are the ones who have had the amendments on this legislation.

The distinguished majority leader, Senator DOLE, was able on his side to convince everyone to keep amendments off, with the idea of treating this whole thing expeditiously and getting it through. I certainly share his desire.

At the same time, it is within the right of every Senator to put forward amendments under Senate rules, whether germane or not. And I do personally think there will come a time in

the future when we do adopt germaneness rules so we can keep a lot of extraneous legislation off of the floor.

What I wanted to say in addressing our side of the aisle in particular on this bill, we had a number of amendments and people lost on those amendments. We did not succeed in passing any of them. Sometimes when you get into debate in the Chamber, it gets into a rather heartfelt situation. We have issues about which people care very strongly, and they are not willing to give up easily. And there is a tendency sometimes to vote against the underlying legislation because people are in a state of semipique or disagreement or unhappiness because their particular amendment, which may or may not have been germane, did not pass.

Now, I hope if we have anyone on our side of the aisle who is taking that attitude and plans to vote against this bill because their particular amendment was not accepted, we can convince them to put aside that attitude and vote for this bill.

I think this bill is right. I think it is fair. There are a couple of things that are addressed by this bill. One is the perception out there in the country that somehow we are above the law; that we treat ourselves differently, and that is a perception, of course, about which we all must be concerned.

But second, the importance of this bill, quite apart from dealing with perceptions, it seems to me, is that you come back to the question, is it right or is it wrong that we pass this legislation? And I say it is right because what it does, it gives the same protection to our own Hill employees, those who work for us on Capitol Hill, that we have passed here in years past and said it is good for the rest of the country; we want to protect the workers out there with OSHA laws and we want fair employment laws and the right to organize—all these things that we say, yes, sir, under the American justice system, this is right for the rest of the country. I would say if it is right for the rest of the country and if people need that kind of protection out there or have rights that need protection, then our Hill employees have those same rights and to treat them fairly we need to pass this kind of legislation.

Mr. President, I was asked earlier today by one of the leading reporters here that covers the House and covers the Senate on a regular basis, just what difference does this bill make? Well, I think in some areas it makes a substantial change and in some areas it does not. Through the years, we have provided some protections in laws in a rather haphazard manner, and the haphazard manner has extended also to the process by which an employee could file a grievance of some kind and have it dealt with, with various procedures.

So what this bill does is to two things. One, it takes all of these different laws—in fact, under the anti-discrimination laws we apply four laws, some of which were covered before,

some of which were not: Civil Rights Act of 1964, Age Discrimination, Americans With Disabilities Act, Rehabilitation Act, all under antidiscrimination; under public services and accommodations under ADA: title II, Americans With Disabilities; title III, Americans With Disabilities; workplace protection laws: Fair Labor Standards Act regulations to be promulgated that will track executive branch regulations on people that work irregular schedules or whose schedules depend directly on the Senate schedule, OSHA laws, Family and Medical Leave Act, Employee Polygraph Protection Act, Worker Adjustment and Retraining Act, Veterans Reemployment Act. Under labor-management relations, chapter 71 of title V will apply now.

So all of these are laws that we now say will apply, and we give a very specific grievance process that employees can use to address whatever problem they are having or however they feel they are being discriminated against or dealt with unfairly.

So it covers everything. And second, it provides this grievance process which we have not had before that takes care of some of the objections our Members have had through the years about this separation of powers from one branch of Government to the other.

Mr. President, I see our distinguished colleague from Nevada in the Chamber, and I am happy to yield to him anytime he is ready to go. I was filling in momentarily here with some comments to people on our side of the aisle while the Senator prepared.

Mr. COHEN. Will the Senator yield?

Mr. GLENN. Yes.

Mr. COHEN. Mr. President, I just want to take a moment to commend the Senator from Ohio for his statement urging his colleagues to support this legislation notwithstanding the defeat of a number of amendments that were offered and rejected.

I might say, just speaking for myself, that a number of the amendments which were offered, were they to be offered as free-standing legislation, probably would enjoy broad bipartisan support. But we should be clear about what is taking place. There is a momentum that has started in the House of Representatives. There is the Contract with America that the majority in the House and the Senate would like to see brought to the floor for debate and disposition. The majority is determined during that first 100 days to do whatever it can to facilitate that.

Now, given the fact that we have different rules in the Senate than in the House, they can act much more expeditiously than we can in the Senate. The Senate was not designed to act in that fashion. In fact, this institution was designed to slow things down so we could have more careful deliberation than the other body.

I must say that even though amendments were offered and rejected, it did

not necessarily reflect upon their respective merits. I would hope that the Senator's colleagues would heed his call for support for the underlying legislation, not only, as he indicated, because if a law is right for others it should be right for us. We should also recognize that the motivation for this legislation was not only to impose a sense of equity but also a sense of reality.

Someone once described Washington as being a city of marble surrounded on four sides by reality. That is what has been missing for the most part in terms of the reality of the consequences of what we do. We pass legislation from the very highest of motivations. We are trying to help people who are in need of help. We are trying to improve workplace safety; we are trying to improve the health and well-being of our constituents; we are trying to do many things on behalf of other people. Yet we do not necessarily do so in a way that is reflective enough of the consequences that must be borne by others that we do not have to bear ourselves.

So this is not only an issue of equity. I think it really is motivated principally from an issue of reality—that we will be more aware of the consequences of what we are about to do if we are forced to live under the same rules. So I would urge my colleagues to support the recommendation of the Senator from Ohio that, notwithstanding the rejection of the amendments which were offered, they lend their support to this measure.

Mr. GLENN. Mr. President, I appreciate very much the comments of my distinguished colleague from Maine.

Mr. President, I understand that the Senator from Nevada is ready and I think he was awaiting the arrival of the distinguished majority leader, who was to have a colleague with him, on the subject that he will present.

Until the majority leader arrives, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SANTORUM). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that I may proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Thank you very much.

CALIFORNIA FLOODS

Mrs. FEINSTEIN. Mr. President, I thought it might be in order to give a very brief status report on the condition of the flooding in the State of California. It is a strange and altogether tragic irony that just about 1 year ago southern California was hit by

wildfire and then the shattering Northridge earthquake. The 1-year anniversary of the Northridge earthquake will be this coming Tuesday, January 17.

As we evaluate the recovery and expenditure of nearly \$11 billion of Federal funding that has been committed to disaster relief in that earthquake, record levels of rain are falling in California and have been since late last week, flooding rivers, washing out roads, causing mud slides, knocking out electricity and water supplies, and affecting the lives of hundreds of thousands of people throughout the State.

So I rise today, Mr. President, to give a brief status report on that record rainfall and flooding.

To begin with, I have been in contact with FEMA Director James Lee Witt, who is currently in California, and my State staff is on alert to provide whatever assistance they can. In addition, Transportation Secretary Peña, Housing Secretary Cisneros, and Federal Highway Administrator Slater are on a 1 o'clock flight today to California to assess what additional Federal assistance will be necessary in the days and weeks ahead.

Although the spirit in my State may be temporarily dampened, I am really confident that Californians will once again show the resilience and the determination that we have shown in the past and that we will overcome this disaster as we have the others. Californians have come together in times of disaster, and we will do so once again.

Last night, at about 11:30 p.m. eastern time, less than an hour after a request from Gov. Pete Wilson, President Clinton declared a Federal disaster for 24 of California's 58 counties. I thank the President on behalf of California for quickly declaring this emergency so individual disaster assistance funds could begin flowing.

FEMA started taking calls for disaster assistance as early as this morning. For those that might be watching C-SPAN, FEMA encourages all disaster victims to call this number, 1-800-462-9029, for information and to register for Federal assistance.

Preliminary estimates of the damage are as follows: At least six people are dead; over 1 million have been affected by power outages up and down the State. Very preliminary damage estimates exceed \$50 million as of now. This will undoubtedly rise as the waters recede and a full assessment of damages is made. Thousands of people have been evacuated from their homes.

According to news reports, California has been hit with 6 months' worth of rain in 10 days. Last night I talked with Dr. Joe Friday, the Director of the National Weather Service, and he stated to me that although there is a brief respite today, heavy rains are apt to continue through the weekend. More than 50 major highways and freeways and hundreds of roads are closed due to flooding. In one 7-hour period yesterday, the California highway patrol

logged 530 accident calls. That is more than five times the normal level, and by early afternoon had dealt with almost 500 disabled vehicles just in southern California alone.

What is clear is that in many areas of the State near-record levels of rain have fallen with devastating consequences. Let me describe some examples of just what the State is facing. In the Russian River area of northern California, the entire business district and hundreds of homes in the community of Guerneville in Sonoma County have been underwater for the last few days. The Russian River has swelled to record flood levels. According to the U.S. Geological Survey, Monday's water flow in the Russian River was the highest ever recorded. The word from California this morning is that the river has begun to recede back to normal levels. However, Sonoma County has been without water, and the State is bringing water in. Everybody is being urged to boil their water.

All 2,800 residents of Hamilton City in Glenn County were evacuated as the Sacramento River rose 3 feet above flood stage. People literally are kayaking down the main business street, State Street, in downtown Santa Barbara.

Many of the communities still recovering from last year's earthquake and severe wildfires have been particularly hard hit, such as Malibu and many of the canyons in southern California. Everything that was a river or a creek yesterday is a flood basin today. The Pacific Coast Highway from Malibu to Santa Barbara has been closed due to mud slides.

Pepperdine University and local businesses in the Malibu canyon are closed due to flooding. The Pepperdine campus was used for helicopter evacuations of residents in the surrounding canyon.

Fortunately, but not for lack of practice, the local, State, and Federal responses are timely and effective. The State Office of Emergency Services under the direction of Richard Andrews quickly established a state operations center to coordinate State assistance. The California National Guard has activated 75 trucks, helicopters, boats, and 300 personnel, conducting rescue and evacuation operations in seven counties.

FEMA Director James Lee Witt, already in California, is remaining in the State to coordinate the Federal disaster response. FEMA damage assessment teams have been on the ground since the weekend, though much of this work is impossible until the water finally recedes after the final rainfall. We do not know when that will be. FEMA has been requested by the State not to establish disaster assistance centers. All financial assistance to people will be done by teleregistration, through the number that I gave earlier. I would like to repeat it once again. Anyone who is a victim of the flood and wishes either information or assistance should call 1-800-462-9029. The